



## United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge			James I	B. Moran	Sitting Judge if Other than Assigned Judge			
CASE NUMBER 0			02 C	4956	DATE	8/2/	2002	
CASE TITLE				Dorothy J. Thomas vs. The State of Illinois et al.				
мо	TION:		[In the following box (a of the motion being pro		e motion, e.g., plaintiff, defe	endant, 3rd party plaintiff, an	d (b) state briefly the nature	
				Memorandum Op	pinion and Order			
DOC	CKET ENT	RY:						
(1)		Filed	motion of [ use listin	g in "Motion" box ab	ove.]			
(2)		Brief in support of motion due						
(3)		Answer brief to motion due Reply to answer brief due						
(4)		Ruling/Hearing on set for at						
(5)		Status hearing[held/continued to] [set for/re-set for] on set for at						
(6)		Pretrial conference[held/continued to] [set for/re-set for] on set for at						
(7)		Trial[set for/re-set for] on at						
(8)		[Bench/Jury trial] [Hearing] held/continued to at						
(9)		This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]  □ FRCP4(m) □ General Rule 21 □ FRCP41(a)(1) □ FRCP41(a)(2).						
(10)	(10) Enter Memorandum Opinion and Order. Plaintiff has filed several motions seeking to overturn the denial of her petition for leave to file in forma pauperis. Those motions are denied.							
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(11)	) 📰	[For fi	urther detail see orde	er attached to the origi	nal minute order.]			
	No notices required, advised in open court.				<del>-</del>		Document	
	No notices required.					number of notices	Number (1)	
	Notices mailed by judge's staff.					A110 0 0 0000		
	Notified counsel by telephone.					AUG 0 6 2002		
<b>✓</b>	Docketing to mail notices.  Mail AO 450 form,			1,000	טיסואוכוע פיט	Change Contraction of the Contra	100	
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## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

DOROTHY J. THOMAS,	) )	DOCKETEN
Plaintiff,	)	AUG 6 2002
VS.	) No. 02 C 49	56
THE STATE OF ILLINOIS, et al.,	(	•
Defendants.	)	

## MEMORANDUM OPINION AND ORDER

Plaintiff has filed several motions seeking to overturn the denial of her petition for leave to file in forma pauperis. Those motions are denied.

Plaintiff misapprehends what this court did. No judgment has been entered against her respecting the merits of her claims. We have concluded only that her claim of a federal right is too insubstantial to permit her to go forward without paying the filing fee. She can always pay the fee, serve the defendants, await their motion to dismiss, and respond to it, although we think she would not be wise to do so. Perhaps she has a contract claim against the state, but we have no jurisdiction to hear such a claim. Perhaps the granddaughter has a federal claim, but she is of age and would have to pursue any such claim herself. But we continue to believe that the qualified immunity concept bars any claim by plaintiff against officials in their personal capacity and the Eleventh Amendment bars any claim against the state or its agency.

JAMES B. MORAN Senior Judge, U. S. District Court

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